



THE CONSUMER RIGHTS LAW GROUP  
3104 WEST WATERS AVENUE,  
SUITE 200  
TAMPA, FLORIDA 33614  
P : 813-435-5055 | F : 866-535-7199  
WWW.CONSUMERRIGHTSLAWGROUP.COM

May 1, 2018

VIA CM/ECF

Honorable Frederic Block  
United States District Court for the  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

***RE: Wexler v. AT&T Corp., No. 15-cv-686 (FB-PK)***

Dear Judge Block:

I represent Plaintiff Eve Wexler in the above-referenced action. Dr. Wexler respectfully seeks to file a motion for leave to amend her complaint. Accordingly, Plaintiff requests a pre-motion conference as required by Section 2.A of this Court's Individual Motion Practices.

The basis of the motion is that Plaintiff intends to seek leave from the District Court to amend her Complaint to re-add class allegations to her amended Complaint because the issue with which the Court addressed concern in the Memorandum and Order [DE 52] is no longer present in this case.

At issue in that Order was Dr. Wexler's adequacy as a representative of the class, due to her familial relationship with her former attorney – her husband, who at the time of the motion, had a possible interest in seeking fees for the work he did prior to withdrawing as her attorney.

Since the time the Order was issued, however, Mr. Wexler has agreed to waive 100% of his attorney fees, including any lien or quantum meruit claim he may have had for fees. He has agreed to forego any fee whatsoever, even fees for work already done on this case, and has agreed not to seek a penny of attorney fees as it was never his intention to impact any class proceeding.

While the basis of the Order was the Court's concern regarding a potential claim for attorney's fees by Mr. Wexler that only had the *possibility* of creating a future conflict of interest, that possibility no longer exists.

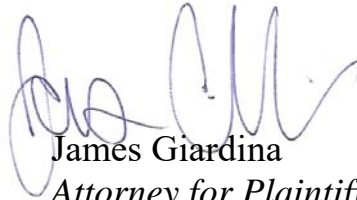
Because there is no potential future fee award in which Dr. Wexler could have a potential interest, the potential conflict of interest preventing Dr. Wexler from adequately representing the interests of absent class members is no longer present.

Accordingly, Dr. Wexler seeks to amend her complaint to re-add the class allegations and respectfully requests a pre-motion conference.

For this reason, we respectfully request that Dr. Wexler be permitted to file a motion to amend her complaint

Thank you for your considering our request for a pre-motion conference.

Sincerely,

A handwritten signature in blue ink, appearing to read 'James Giardina', with a stylized, flowing script.

James Giardina  
*Attorney for Plaintiff Eve Wexler*

cc Archis Parasharami